

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1 and 11-33 are currently pending. No claims have been amended herewith.

In the outstanding Office Action, Claims 1 and 11-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,092,952 to Wilens (hereinafter “the ‘952 patent”) in view of U.S. Patent Application Publication No. 2001/0008404 to Naito et al. (hereinafter “the ‘404 application”).

REJECTION UNDER 35 U.S.C. § 103

Previously presented Claim 1 is directed to an information transmission apparatus, comprising:

reception means for receiving a plurality of taste information that represent respective tastes of a plurality of users from a plurality of terminal apparatuses of the plurality of users;

storage means for storing the received plurality of taste information and group information associated with the plurality of users;

search means for searching for at least two taste information having a resemblance to each other from the plurality of taste information stored in the storage means;

retrieval means for retrieving at least taste information or group information associated with a first user of the at least two taste information searched by the search means, the retrieved taste information or group information not being associated with a second user of the at least two taste information; and

transmission means for transmitting the retrieved taste information or group information to a terminal apparatus corresponding to the second user of the at least two taste information.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), the Office Action acknowledges, and it is respectfully submitted, that the '952 patent fails to disclose "that information is only received about a specific user, not associated with another user."¹ Rather, the Office Action recites the '404 application for such a teaching. Thus, it is respectfully submitted that the '952 patents fails to disclose the retrieval means defined in Claim 1.

Further, it is respectfully submitted that the '404 application fails to remedy the deficiencies of the '952 patent, as discussed above. The '404 application is directed to an information presenting device for adjusting information based on the type of information, the behavior of a user, an environmental situation, etc., and presenting the adjusted information to a user and a method thereof.²

The Office Action apparently cites the '404 agent 32 that automatically collects information required by a user using a keyword for a user's taste, a rule base, correlation information, etc., for teaching "retrieved taste information or group information not being associated with a second user of the at least two taste information."³

However, it is respectfully submitted that the '404 application fails to disclose retrieval means for retrieving at least taste information or group information associated with a first user of the at least two taste information searched by the search means, the retrieved taste information or group information not being associated with a second user of the at least two taste information. Rather, with respect to the cited collected information, the '404 application simply discusses that the information may include news, movie information, gourmet information, traffic information, a list of TV programs, stock market information, weather information, or horoscope information, event information, learning information, etc.⁴ The '404 application does not disclose that the agent 32 *retrieves at least taste information*

¹ See Office Action dated June 22, 2009, page 3.

² See '404 application, paragraph [0003].

³ See Office Action dated June 22, 2009, page 3.

⁴ See '404 application, paragraph [0065].

or group information associated with a first user of at least two taste information searched by search means, or that the collected information includes taste information or group information (associated with a first user) not being associated with a second user of the at least two taste information (searched by the search means).

Thus, no matter how the teachings of the '952 patent and the '404 application are combined, the combination does not teach or suggest the retrieval means of Claim 1. Accordingly, Applicant respectfully traverses the rejection of Claim 1 as being unpatentable over the '952 patent and the '404 application.

Previously presented Claim 11 recites, *inter alia*,

a transmission step of transmitting at least taste information or group information associated with a first user of the at least two taste information searched in the search step to a terminal apparatus corresponding to a second user of the at least two taste information, the transmitted taste information or group information not being associated with the second user of the at least two taste information.

Previously presented Claim 16 recites, *inter alia*,

a reception step of receiving taste information or group information associated with a second user of at least two taste information, the received taste information or group information not being associated with the first user of the at least two taste information and being information that the predetermined apparatus that has received the taste information at least transmits to the terminal apparatus corresponding to the first user of the at least two taste information, after searching for the at least two taste information having a resemblance to each other from the plurality of taste information stored therein.

As noted above, the '952 patent and the '404 application, alone or in proper combination, fail to disclose the retrieval means recited in Claim 1. Thus, the '952 patent and the '404 application fail to disclose the information transmission method and the information reception method recited in Claims 11 and 16, respectively. Accordingly, Applicant

respectfully traverses the rejections of Claims 11 and 16 (and all associated dependent claims) as being unpatentable over the '952 patent and the '404 application.

Previously presented Claim 21 recites limitations analogous to the limitations recited in Claim 1, but in non-means-plus-function format. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 1, Applicant respectfully traverses the rejection of Claim 21 (and all associated dependent claims) as being unpatentable over the '952 patent and the '404 application.

Previously presented Claim 26 recites, *inter alia*,

a reception unit configured to receive taste information or group information associated with a second user of at least two taste information, the received taste information or group information not being associated with the first user of the at least two taste information and being information that the predetermined apparatus that has received the plurality of taste information at least transmits to the terminal apparatus corresponding to the first user of the at least two taste information, after searching for the at least two taste information having a resemblance to each other from the plurality of taste information stored therein.

Previously presented Claim 31 recites, *inter alia*,

retrieving at least taste information or group information associated with a first user of the at least two taste information searched in the searching, the retrieved taste information or group information not being associated with a second user of the at least two taste information.

Previously presented Claim 32 recites, *inter alia*,

transmission means for transmitting at least taste information or group information associated with a first user of the at least two taste information to a terminal apparatus corresponding to a second user of the at least two taste information, when the reception means receives taste information from one of the plurality of users, wherein

the transmitted taste information or group information is not associated with the second user of the at least two taste information.

Previously presented Claim 33 recites, *inter alia*,

reception means for receiving at least taste information or group information associated with a second user of at least two taste information, from the server, the taste information or group information being transmitted to a terminal apparatus corresponding to the first user of the at least two taste information [, wherein]

the received taste information or group information is not the received taste information or group information is not associated with the first user of the at least two taste information.

As noted above, the '952 patent and the '404 application, alone or in proper combination, fail to disclose the retrieval means of Claim 1. Thus, the '952 patent and the '404 application fail to disclose the terminal apparatus, the computer-readable storage medium, the information transmission apparatus, and the information reception apparatus recited in Claims 26 and 31-33, respectively. Accordingly, Applicant respectfully traverses the rejections of Claims 26 and 31-33 (and all associated dependent claims) as being unpatentable over the '952 patent and the '404 application.

Further, with respect to Claim 33, it is noted that the Office Action continues to cite the '952 server used to store and access subscriber information, with user profiles and groups for teaching the claimed registration means.⁵ However, as noted in the Amendment dated April 14, 2009 , the '952 patent simply discusses that a user may view a group and common characteristics of corresponding group members, **after** the user is associated with the group. The '952 patent does not disclose that the '952 server registers received taste information or group information (transmitted to a terminal apparatus and which are not associated with the first user of the at least two taste information) as said first user's taste information or group information, as recited in Claim 33.

Accordingly, should the Examiner wish to maintain the rejection of Claim 33 in a subsequent Office Action, it is respectfully requested that the subsequent Office Action

⁵ See Office Action dated June 22, 2009, page 21.

provide a detailed explanation for any contrary interpretation in accordance with MPEP § 707.07(f) by which Applicant can fairly decide if this issue requires appeal.

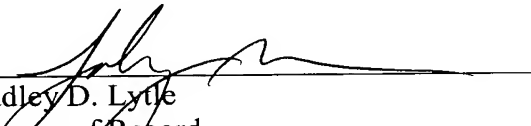
CONCLUSION

Thus, it is respectfully submitted that independent Claims 1, 11, 16, 21, 26, and 31-33 (and all associated dependent claims) patentably define over any proper combination of the '952 patent and the '404 application.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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